

**ATTORNEY DOCKET NO.
020533.0197 (2001P20554US)**

**PATENT APP. SERIAL NO.
09/712,017**

REMARKS

Claims 5-14, 16-18, 21-26, 31-33, 35-41, 61, 68, 69, and 71-79 are now pending in the application. Claims 1-4, 15, 19-20, 27-30, 34, 42-60, 62-67, 70, and 80-82 have been cancelled to reduce redundancy in the claims and to limit costs. There are now five independent claims in the application. Payment is hereby authorized for the fee associated with this increase in the number of independent claims. In light of the amendments above and the following remarks, Applicants respectfully request favorable reconsideration and allowance of the pending claims.

Allowable Subject Matter

Applicants thank the Examiner for previously indicating that claim 61 contains allowable subject matter and that the claim would be allowed if amended into independent format. Applicants have amended claim 61 accordingly and respectfully request allowance of the claim.

Rejection of Claims 5-14, 16-18, 21-26, 31-33, 35-41, 68, 69, and 71-79 under § 103

Claims 5-14, 16-18, 21-26, 31-33, 35-41, 61, 68, 69, and 71-79 have been rejected under 35 U.S.C. § 103 based on U.S. Patent No. 6,012,088 ("Li"), U.S. Patent No. 6,789,111 ("Brockway"), U.S. Patent No. 6,122,287 ("Ohanian"), U.S. Patent No. 6,185,701 ("Marullo"), and "Official Notice." Applicants respectfully traverse the rejection.

Applicants respectfully submit that the cited references do not teach all of the limitations of Applicants' independent claims 5, 21, 31, and 68. For example, the references do not teach or suggest "communicating a plurality of probing configuration signals, each signal associated with a different of the at least one of the valid virtual channel and the valid protocol," as recited by claim 5. With regard to claim 21, the references do not teach or suggest, "communicating a first

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diagnostic signal associated with a first of a plurality of valid virtual channels and the valid protocols ... and when a response is not received, communicating a second diagnostic signal associated with a second of the plurality of virtual channels and protocols.” With regard to claim 31, the references do not teach or suggest “communicating ... a probing configuration signal; receiving over a valid virtual channel a response to the configuration signal; and identifying as valid for configuration the at least one of the valid virtual channel and the valid protocol associated with the response.” With regard to 68, the references do not teach or suggest “communicating ... a probing configuration signal, the probing signal operable to identify at least one of a valid virtual channel and a valid protocol ... wherein communicating the probing configuration signal comprises communicating the probing configuration signal over a plurality of virtual channels approximately simultaneously.”

As the Examiner has pointed out, *Li* teaches a type of automatic configuration. More specifically, *Li* teaches an “Internet access device 100 [that] automatically dials the local telephone number provided by the ISP” (col. 12, lines 49-51). The device “determines whether a successful connection has been made” (col. 12, lines 56-57). If the connection is not successful, the “device displays an error message, terminates the calling procedure and then returns to step 614 of FIG. 10 with a negative result” (col. 12, lines 65-63).

Applicants’ invention, as recited by claims 5, 21, 31, and 68, does more than simply establish a physical connection. Applicants’ claimed invention identifies the virtual channel and/or protocol that is associated with the connection so that users do not have to configure the virtual channel and/or protocol themselves. Applicants’ claimed invention achieves this goal through the use of a “probing configuration signal” or “diagnostic signal” that identifies the

ATTORNEY DOCKET NO.
020533.0197 (2001P20554US)

PATENT APP. SERIAL NO.
09/712,017

virtual channel and/or protocol. Once the virtual channel and/or protocol is identified, the central premises equipment can configure the connection automatically without input from the user.

Li does not address the same problem addressed by Applicants' claims 5, 21, 31, and 68.

Li cannot identify the virtual channel and/or protocol that is associated with a connection. *Li* assumes that the connection is a Point to Point Protocol (PPP) connection. In fact, *Li* specifically teaches that "[i]f the connection is successful ... a Point to Point Protocol (PPP) connection is established," but "[i]f this PPP connection is not successful ... an error message is displayed" (col. 12, line 66 thru col. 13, line 8). *Li* does not identify a valid virtual channel or protocol from among a number of different possibilities.

Based on at least the above technical differences between Applicants' independent claims 5, 21, 31, and 68, Applicants respectfully submit that claims 5, 21, 31, and 68 are novel and unobvious over the cited references. Applicants also respectfully submit that claims 6-14, 16-18, 22-26, 32-33, 35-41, and 69, and 71-79 are patentable at least based upon their dependency upon claims 5, 21, 31, and 68.

CONCLUSION

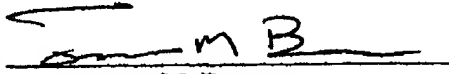
In light of the above remarks, Applicants respectfully requests favorable reconsideration and allowance of claims 5-14, 16-18, 21-26, 31-33, 35-41, 61, 68, 69, and 71-79. Should the Examiner have any questions concerning this paper or application, the Examiner is respectfully requested to contact Applicants' undersigned attorney to resolve such issue or question. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

ATTORNEY DOCKET NO.
020533.0197 (2001P20554US)

PATENT APP. SERIAL NO.
09/712,017

Respectfully submitted,

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By: 
Terrence M. Brennan
Registration No. 42,360
(407) 736-4149

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830